



ALAMEDA COUNTY  
CONGESTION MANAGEMENT AGENCY

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**BOARD MEETING NOTICE**

**Thursday, April 27, 2006, 3:30 p.m.**

CMA Board Room

1333 Broadway, Suite 220

Oakland, California 94612

(see map on last page of agenda)

Chair: Councilmember Larry Reid

Vice Chair: Supervisor Scott Haggerty

Executive Director: Dennis R. Fay

Secretary: Christina Muller

**AGENDA**

*Copies of Individual Agenda Items are Available on the CMA's Website*

<b>1.0</b>	<b>ROLL CALL</b>	<b>Confirm Quorum</b>	<b>3:30 p.m.</b>
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<b>2.0</b>	<b>PLEDGE OF ALLEGIANCE</b>		
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<b>3.0</b>	<b>PUBLIC COMMENT</b>		
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Members of the public may address the Board during "Public Comment" on any item not on the agenda. Public comment on an agenda item will be heard when that item is before the CMA Board. Anyone wishing to comment should make his or her desire known to the Chair.

<b>4.0</b>	<b>CHAIR'S/VICE-CHAIR'S REPORT</b>	<b>Information/Action</b>	<b>3:35 p.m.</b>
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<b>4.1</b>	<b><a href="#">Resolution of Appreciation for Mayor Roberta Cooper* (page 1)</a></b>		
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<b>5.0</b>	<b><a href="#">EXECUTIVEDIRECTOR'SREPORT*(page 3)</a></b>	<b>Information/Action</b>	<b>3:40 p.m.</b>
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<b>6.0</b>	<b>CONSENT CALENDAR</b>	<b>Approval</b>	<b>3:45 p.m.</b>
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<b>6.1</b>	<b><a href="#">Meeting Minutes March 23, 2006* (page 23)</a></b>		
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<b>6.2.1</b>	<b><a href="#">Financial Reports: March 2006* (page 29)</a></b>		
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<b>6.2.2</b>	<b><a href="#">Quarterly Investment Report* (page 35)</a></b>		
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<b>6.2.3</b>	<b><a href="#">Quarterly SBE, LBE and DBE Report* (page 37)</a></b>		
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*Consent Items recommended by the following committees:*

6.3 [Plans & Programs Committee](#)

**6.3.1 [TFCA Program: Quarterly at Risk Report\\* \(page 39\)](#)**

It is recommended that the Board approve the attached Quarterly At Risk report for local projects included in the TFCA Program.

### **6.3.2 Request to Caltrans to Conduct an I-80 Operational Study**

It is recommended that the CMA Board request Caltrans to prepare an I-80 Operational Study similar to the study that is underway on I-880. The I-80 corridor continuously ranks as the most congested in the Bay Area. In addition to transit improvements already planned in the corridor, highway operational improvements would provide some congestion relief.

### **6.3.3 CMA Transportation Improvement Program (TIP): Central County Freeway Study\* (page 45)**

ACTA amended the 1988 Alameda County Transportation Expenditure Plan to eliminate the Route 238 Hayward Bypass and replace it with four projects. One of replacement projects is the Central Alameda County Freeway Operations Study. ACTA requested the CMA, as the Transportation Planning Agency for Alameda County, to serve as co-sponsor and manager of the study and any follow up project study reports as needed. In October 2005, the CMA Board authorized the Executive Director to enter into a funding agreement with ACTA for this work. It is estimated that the study and any follow up PSRs will take approximately 75% of one staff position over a three-year period. ACTA adopted policies allow project sponsors to be reimbursed for salary plus benefits and direct costs such as consultant services; however, this will not cover all costs to the CMA. Planning is a core function of the CMA, and the study area is a vital link in the Goods Movement corridor identified as a high priority for the CMA. As the CMA's contribution to Central County Freeway Study, it is recommended that the Board 1) approve up to \$250,000 in CMA TIP funds to cover the additional costs; 2) authorize staff to seek grants to reduce the cost to the CMA TIP; and 3) authorize the Executive Director to sign an amendment to the funding agreement with ACTA if necessary. *Note: 18 affirmative votes required.*

### **6.4 Administration & Legislation Committee**

#### **6.4.1 I-580 Corridor: Advance Right of Way Acquisition for Future Median Transit Corridor\* (page 47)**

It is recommended that the CMA Board authorize the Executive Director, or his designee, to negotiate and execute requisite agreements with the Alameda County Transportation Improvement Authority (ACTIA) to include the I-580 Corridor/BART to Livermore Studies Project (ACTIA 26) in the list of CMA sponsored projects that are part of the I-580 Tri-Valley Corridor Improvement Plan. Funds provided through ACTIA Project 26 will be used for advance right of way acquisition along I-580 for preservation of a future median transit corridor.

#### **6.4.2 I-580 Corridor: Westbound I-580 Auxiliary Lanes\* (page 49)**

It is recommended that the CMA Board authorize the Executive Director, or his designee, to take the following actions with the Alameda County Transportation Improvement Authority (ACTIA) for the I-580 Auxiliary Lanes Project:

1. Approve the addition of the CMA as a project Co-Sponsor with Caltrans;
2. Negotiate and execute Amendment No. 3 to the Master Project Specific Funding Agreement to include the I-580 Auxiliary Lanes Project, ACTIA 14, in the list of projects sponsored by the CMA;
3. Negotiate and execute Project Specific Funding Agreement for the Construction/Construction Engineering Phase of the I-580 Auxiliary Lane Project – Westbound between I-580/Fallon Road Interchange and I-580/Tassajara Road Interchange, Segment 14A, for \$1,500,000; and
4. Negotiate and execute Project Specific Funding Agreement for the Preliminary Engineering/Environmental Phase of the I-580 Auxiliary Lane Project – Westbound between I-580/Airway Boulevard Interchange and I-580/Fallon Road Interchange, Segment 14B, for \$400,000.

**6.4.3 I-580 Corridor: Traffic Management Plan (TMP)/Advance Elements Project\* (page 53)**

It is recommended that the CMA Board authorize the Executive Director, or his designee, to take the following actions in support of expediting delivery of the I-580 Traffic Management Plan (TMP)/Advance Elements Project:

5. To negotiate and execute all necessary agreements for procurement of long lead items and specialty products to be used in the construction of the project for an amount not to exceed \$1,500,000; and
6. To release a Request for Proposal (RFP) to provide construction management services for this project and execute all necessary agreements with the selected consultant for an amount not to exceed \$1,250,000.

Funding will be provided from available I-580 corridor fund sources.

**6.4.4 Transit Oriented Development: Technical Assistance Program\* (page 57)**

In September 2005, the Board authorized a pilot TOD Technical Assistance Program, or TOD TAP to help TOD project sponsors overcome barriers to advancing TOD projects in Alameda County. The budget for the program is \$40,000, consisting of \$25,000 approved by ACTIA and \$15,000 from CMA's Transportation and Land Use (T Plus) program, funded by MTC. It is recommended that the Board authorize the Executive Director, or his designee, to execute all necessary agreements with the Alameda County Transportation Improvement Authority (ACTIA) for the Transit Oriented Development Assistance (TOD TAP) Program in the amount of \$25,000.

**6.4.5 AB 2113 (Aghazarian): Support in Concept\* (page 59)**

This bill would declare Legislature's intent to enact legislation facilitating improvements to goods movement in Northern California to and from the Port of Oakland and the Central Valley region. This bill is consistent with the CMA's I-880/I-238/I-580 Goods Movement Corridor concept. It is recommended that the CMA support this bill in concept.

**6.4.6 AB 2873 (Wolk): Support\* (page 61)**

This bill would allow a county or city and county to impose an additional 1/4 percent of 1% sales and use tax under the Bradley-Burns Law, increasing the Transportation Development Act funds. TDA funds are used for transit, paratransit and bicycle and pedestrian projects. The CMA supported a similar bill last year. It is recommended that the CMA support this bill.

**6.4.7 AB 2538 (Wolk): Support\* (page 65)**

This bill would stabilize the revenue stream used by transportation agencies for project planning, programming and monitoring by setting a minimum threshold for these funds. The CMA uses these funds to prepare project study reports required for STIP projects, to monitor project schedules and for its programming function. This bill will provide a more reliable and predictable revenue stream for these functions. It is recommended that the CMA support this bill.

**6.4.8 SB 1812 (Runner): Support\* (page 69)**

This bill would allow Caltrans to participate in a federal pilot program authorized under SAFETEA, which is intended to simplify the delivery of transportation projects. SAFETEA authorized a pilot program that allows certain states to assume FHWA's role in approving federal environmental documents. Specifically, this bill would authorize Caltrans to consent to the jurisdiction of the federal courts with regard to the compliance, discharge or enforcement of the responsibilities it assumes relative to environmental documents. It is recommended that the CMA support this bill.

**6.4.9 AB 573 (Wolk): Oppose\* (page 71)**

This bill would restrict the ability of a public agency to include certain indemnity provisions in contracts. It would prohibit a public agency from requiring a design professional to defend, indemnify, or hold harmless the public agency or its officers and employees from any claim, action, or proceeding against the public agency. The CMA uses a clause in its professional services contracts to indemnify the agency, its officers and employees. This bill opens up potential liabilities for the CMA. It is recommended that the CMA oppose this bill.

**6.4.10 AB 1974 (Walters): Oppose\* (page 75)**

This bill would allow a county board of supervisors to authorize unlimited access to HOV lanes, regardless of occupancy. HOV lanes are integral to the efficient movement of people in urban areas, and Alameda County's HOV lanes are contiguous with adjacent counties. This bill could result in a disjointed HOV lane system in the Bay Region and other regions. It is recommended that the CMA oppose this bill.

**6.4.11 AB 2621 (Strickland): Oppose\* (page 77)**

This bill would exempt ethanol and methanol from the sales and use tax, thereby reducing funds for transportation, including Alameda County's Measure B program. It is recommended that the CMA Board oppose this bill.

\*\*\* END OF CONSENT ITEMS \*\*\*

**7.0 PLANS & PROGRAMS COMMITTEE REPORTS Information/Action 3:50 p.m.**

**7.1 Transportation Fund for Clean Air (TFCA): Exchange Proposal & Guaranteed Ride Home Program\* (page 79)**

MTC and the BAAQMD are partnering in a \$2.25 million joint MTC-BAAQMD-Port of Oakland Truck Replacement Program and MTC has requested the CMA's assistance in exchanging funds. CMAQ funds are not eligible to fund approximately \$2 million of this project. TFCA funds could be used for the \$2 million component of this project. In addition to this exchange, TFCA funding is necessary to continue the Guaranteed Ride Home program in 2006-7. It is recommended that the Board: (1) approve the exchange of up to \$2 million of TFCA funds in 2007-8 and 2008-9 with MTC/Air District for CMAQ funds; and (2) approve Resolution 05-07 Amended to modify the 2006-07 TFCA program to include up to \$150,000 for the Guaranteed Ride Home Program. *Note: 18 affirmative votes required*

**7.2 East Bay SMART Corridors Program: Strategy to fund Operations and Maintenance (O&M) Activities\* (page 83)**

It is recommended that the Board approve the following recommendations relative to the SMART Corridors Operation and Maintenance Funding Plan for 2006-7:

1. Program \$49,921 in CMAQ funds resulting from a previous TFCA exchange to SMART Corridors operations and maintenance costs; this is the city/county contribution to the plan. Authorize the substitution of general funds available to a city or the County in lieu of using their share of the CMAQ funding.
2. Program \$98,095 in CMA TIP funds to cover the CMA's contribution.
3. Send a letter to MTC requesting \$85,391 as its proposed share.

*Note: 18 affirmative votes required*

### **7.3 2006 State Transportation Improvement Program (STIP): Amendments for the Final Program of Projects\* (page 87)**

The California Transportation Commission (CTC) has released the staff recommendations for the 2006 STIP. The CTC is recommending the deletion of several highway projects throughout the State due to the lack of programming capacity for non-transit projects. It is recommended that the Board approve the following modifications to the Alameda County 2006 STIP submittal:

1. Add \$14 million to a new project for AC Transit to purchase 50 new buses.
2. Remove \$9 million programmed to the I-580 HOV Lane and substitute federal funds to be supplied by MTC.
3. Remove \$5 million programmed to the San Leandro sound wall project and substitute federal funds to be supplied by MTC.
4. Remove \$1 million programmed to the Int'l/Telegraph Rapid Bus project and add \$1 million to the AC Transit Bus Component Rehabilitation project in 2007-8.

Other amendments may be necessary as a result of ongoing negotiations with the CTC which may be presented to the Board at the meeting. *Note: 18 affirmative votes required*

## **8.0 ADMINISTRATION & LEGISLATION COMMITTEE REPORTS**

**Information/Action 4:10 p.m.**

### **8.1 I-680 Smart Carpool Lane: Public Education and Marketing\* (page 97)**

A public outreach meeting for the I-680 Smart Carpool Lane was held in October 2005. The meeting had extensive coverage from both newspapers and television. A project website was launched to provide information about the project as well as to provide an opportunity for public input. The summary of the meeting included recommendations for continued public education and marketing of the Smart Lane. Staff is seeking consultant services based on these recommendations. The services will be funded by FHWA's Value Pilot Pricing Program grant with Measure B providing the 20% match. It is recommended that the Board authorize the Executive Director to sign a contract with the selected consultant for public education and marketing services in an amount not to exceed \$400,000 covering a three-year period.

### **8.2 AB 1020 (Hancock): Watch and Seek Amendments\* (page 99)**

This bill would require the department and certain regional transportation planning agencies, such as MTC, to develop travel models that incorporate such factors as land use intensification, land use models based on bidding for floor space, representations of all transit lines and roads, parking cash-out, and neighborhood plans that enhance pedestrian access. The CMAs in the Bay Region are required to have travel models that are consistent with MTC's model. The requirements of this bill therefore impact the CMAs in the Bay Region. Some of the requirements of this bill may not be practical and those that are practical could be costly to implement. It is recommended that the CMA Board watch this bill and request amendments that would lessen the impact on CMA travel models (see attached memo for specific amendments).

### **8.3 Leased Office Space**

In February, the Board authorized several new positions and funding to build out the existing leased space to accommodate the growth. The small office area adjacent to our existing offices, which we initially thought might avoid the build out costs, does not appear to be financially feasible. In addition, ACTIA is considering a move, possibly to the 3<sup>rd</sup> floor of our building. Staff is discussing this option with the building management and ACTIA staff, will analyze the tradeoffs in terms of cost and other factors, and will report to the Board on staff's findings at the meeting.

**9.0 OTHER BUSINESS**

**10.0 ADJOURNMENT**

**4:30 p.m.**

- \* Attachment enclosed for members and key staff.
  - \*\* Materials will be handed out at the meeting.
- (#) All items on the agenda are subject to action and/or change by the CMA Board. Times for agenda items are approximate.

*PLEASE DO NOT WEAR SCENTED PRODUCTS SO INDIVIDUALS WITH  
ENVIRONMENTAL SENSITIVITIES MAY ATTEND*

***NEXT MEETINGS***

**THURSDAY, May 25, 2006; 3:30 PM; CMA Board Room, Oakland**  
**THURSDAY, June 22, 2006; 3:30 PM; CMA Board Room, Oakland**  
**THURSDAY, July 27, 2006; 3:30 PM; CMA Board Room, Oakland**